

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

IN THE MATTER OF *
THE COMPLAINT OF *
ETERNITY SHIPPING, LTD. AND * CIVIL ACTION NO.
EUROCARRIERS, S.A. *
FOR EXONERATION FROM OR * L-01-CV-0250
LIMITATION OF LIABILITY *

* * * * * * * * *
**LIMITATION PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT ON FIRST AMENDED CLAIM
FOR DAMAGES OF JOSEFINA GONZALES AND REQUEST FOR HEARING**

Limitation Plaintiffs Eternity Shipping, Ltd. and Eurocarriers, S.A., by their undersigned attorneys, move the Court to dismiss the First Amended Claim for Damages of Josefina Gonzales on the grounds that Limitation Plaintiffs are entitled to judgment as a matter of law. Summary judgment should be entered on Mrs. Gonzales' entire Claim because she has already pursued legal action against Limitation Plaintiffs in the Philippines and collected a judgment in that action, which should be given a binding and conclusive effect in this Court. Alternatively, if the Court declines to recognize the foreign judgment and dismiss the First Amended Claim in its entirety, Limitation Plaintiffs move this Court to dismiss Mrs. Gonzales' claim to the extent that she seeks non-pecuniary damages as such damages are not recoverable as a matter of law upon any claim brought under the Jones Act or general maritime law. The grounds for this Motion are more fully set forth in the attached Memorandum of Law and Exhibits filed herewith.

REQUEST FOR HEARING

Limitation Plaintiffs request that the Court hear argument on this Motion.

Respectfully submitted,

/s/

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